

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELVIN JUSTICE,
Plaintiff,

v.

CITY & COUNTY OF SAN FRANCISCO,
et al.,
Defendants.

Case No. [18-cv-05852-EMC](#)

**ORDER DIRECTING PLAINTIFF TO
FILE PROOF OF SERVICE OR TO
SHOW CAUSE**

Pro se Plaintiff Melvin Justice, Jr. filed his complaint against Defendants the City & County of San Francisco, the San Francisco Police Department, and Chris Gomez on September 24, 2018. Docket No. 1. Mr. Justice has yet to serve Defendants. He represents that he is attempting to engage counsel in this matter, and intends to serve Defendants upon retaining representation. Docket No. 12 at 6. However, the 90-day deadline for service has already passed. *See* Fed. R. Civ. P. 4(m) (“If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”).


Notwithstanding Mr. Justice’s failure to timely serve Defendants, Rule 4(m) also provides that “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.* Accordingly, it is hereby **ORDERED** that within **thirty (30) days** of the date of this Order, Mr. Justice shall either serve each Defendant with the summons and complaint in accordance with Rule 4 and provide the Court with proof of such service, or otherwise show cause why the complaint should not be dismissed without prejudice.

The Court encourages Mr. Justice to consult with the Federal Pro Bono Project’s Legal

1 Help Center in either the Oakland or San Francisco federal courthouses for assistance. Lawyers at
2 the Legal Help Center can provide basic assistance to parties representing themselves but cannot
3 provide legal representation. The San Francisco Legal Help Center office is located in Room 2796
4 on the 15th floor at 450 Golden Gate Avenue, San Francisco, CA 94102. The Oakland office is
5 located in Room 470-S on the 4th floor at 1301 Clay Street, Oakland, CA 94612. Appointments
6 can be made by calling (415) 782-8982 or signing up in the appointment book located outside
7 either office.

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9 **IT IS SO ORDERED.**

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11 Dated: March 5, 2019

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14 EDWARD M. CHEN
15 United States District Judge
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